

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

DOUGLAS HANDSHOE

PLAINTIFF

VERSUS

CIVIL ACTION NO: 1:13CV254 HSO-RHW

JOHN DOE(S) AKA "RANDALL CAJUN"

DEFENDANTS

MOTION TO DISMISS OF CHARLES LEARY AND VAUGHAN PERRET

COME NOW CHARLES LEARY and VAUGHAN PERRET and file this their motion pursuant to Federal Rules of Civil Procedure 12 to dismiss the Complaint filed against them and in support would show the Court lacks subject matter jurisdiction, the Court lacks personal jurisdiction, the venue is improper, there is insufficient process and service of process, and Plaintiff fails to state a claim upon which relief can be granted.

In further support of the Motion, Charles Leary and Vaughan Perret have not been named as Defendants but they were served by Plaintiff with Summons and Complaint as if they were Defendants. Pursuant to Rules 4(a)(i)(b), 9, 10 and 19 the Court should enter an order dismissing Charles Leary and Vaughn Perret with prejudice.

CHARLES LEARY and VAUGHAN PERRET therefore move the Court to dismiss the Complaint with prejudice.

RESPECTFULLY SUBMITTED this the 14th day of June, 2013.

CHARLES LEARY and VAUGHAN
PERRET

By: s/ Henry Laird
Henry Laird, MS Bar No. 1774

CERTIFICATE OF SERVICE

I, Henry Laird, of the law firm of Jones Walker LLP do hereby certify that I have sent a true and correct copy of the foregoing Motion to Dismiss by using the ECF system to the following:

Douglas Handshoe
214 Corinth Drive
Bay St. Louis, Mississippi 39520
VIA UNITED STATES MAIL AND EMAIL: earning04@gmail.com

This the 14th day of June, 2013.

s/ Henry Laird

Henry Laird

Henry Laird (MSB No. 1774)
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